

REMARKS

The Office Action mailed August 17, 2005 has been received and reviewed. Claims 21, 23-28, and 41-53 are in the case. Claims 21, 23-26, 41, 48, and 51-52 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Maynard in view of Driscoll. Claims 27, 28, 42-47, 49, 50, and 53 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Maynard in view of Driscoll and Sheard et al. ("Sheard").

By this paper, claims 21, 25, 41, and 51 have been amended. For the reasons set forth below, claims 21, 23-28, and 41-53 are believed to be in condition for immediate allowance. Favorable reconsideration of the application in view of the following remarks is, therefore, respectfully requested.

Rejection of Claims 21, 23-26, 41, 48, and 51-52 Under 35 U.S.C. §103(a)

Claims 21, 23-26, 41, 48, and 51-52 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Maynard in view of Driscoll.

To establish a *prima facie* case of obviousness, the prior art reference (or references when combined) must teach or suggest all the claim limitations. (See MPEP 2143.) The combination of Maynard and Driscoll does not meet this test. For example, the combination of Maynard and Driscoll does not disclose the step of "deriving a micro-context corresponding to the meaning for the text by examining a user's activities on the user's computer," as required by Applicant's claims.

As a preliminary matter, independent claim 21 states "the text is descriptive of information sought." In other words, the "text" is a query. Independent claims 41 and 51

expressly recite a "textual query." Accordingly, in all of Applicant's pending claims, the "micro-context" is derived from a query received from a user.

Maynard does not teach or suggest deriving a micro-context for a query, as required by Applicant. Even the citations used by the Office Action to prove otherwise reinforce this point. (See Maynard column 13, lines 13-17, 25-29 and column 14, lines 4-15, 44-53.) Categorizing an "information resource" being searched does not constitute a teaching of deriving a micro-context of a query. As appreciated, queries and the information being searched are two very different things.

Lacking this base teaching or suggestion, Maynard cannot possibly teach or suggest deriving a micro-context of a query by examining a user's activities on the user's computer, as further required by Applicant. Accordingly, Maynard fails to teach or suggest all of Applicant's claim limitations.

Combining the teachings and suggestions of Driscoll with those of Maynard does not remedy this deficiency. Driscoll is similarly silent with respect to any teaching or suggestion of deriving a micro-context of a query by examining a user's activities on the user's computer. Instead, Driscoll teaches determining "common meaning," based on one of 36 semantic categories, "between words in the query and words in the document." (See Driscoll column 3, lines 4-8.) As appreciated, analysis using semantic categories does not comprise a teaching or suggestion of deriving a micro-context of a query by examining a user's activities on the user's computer.

Lacking any teaching or suggestion of deriving a micro-context of a query by examining a user's activities on the user's computer, the combination of Maynard and Driscoll cannot

establish a *prima facie* case of obviousness under 35 U.S.C. §103(a). Reconsideration of claims 21, 23-26, 41, 48, and 51-52 is, therefore, respectfully requested.

Rejection of Claims 27, 28, 42-47, 49, 50, and 53 Under 35 U.S.C. §103(a)

Claims 27, 28, 42-47, 49, 50, and 53 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Maynard in view of Driscoll and Sheard.

As stated hereinabove, to establish a *prima facie* case of obviousness, the prior art reference (or references when combined) must teach or suggest all the claim limitations. (See MPEP 2143.) The combination of Maynard, Driscoll, and Sheard does not meet this test. For example, the combination of Maynard, Driscoll, and Sheard does not disclose the step of “deriving a micro-context corresponding to the meaning for the text by examining a user’s activities on the user’s computer,” as required by Applicant’s claims.

For the reasons set forth hereinabove, the combination of Maynard and Driscoll fails to teach or suggest deriving a micro-context for a query by examining a user’s activities on the user’s computer. Combining the teachings and suggestions of Sheard with those of Maynard and Driscoll does not remedy this deficiency. Sheard is similarly silent with respect to any teaching or suggestion of deriving a micro-context of a query by examining a user’s activities on the user’s computer.

Instead, Sheard teaches an interface facilitating exchange of data between different software applications. To do this, Sheard further teaches “[p]rocess monitoring, tracing, and logging are provided to track the progress of data passing through the data exchange.” Contrary to the assertions of the Office Action, this does not constitute a teaching of “deriving a micro-context of a query examining a user’s activities on the user’s computer.” Significantly, Sheard

makes no mention of any user activities. Moreover, Sheard does not teach monitoring to derive the context of a query. Rather, Sheard teaches monitoring to permit "rollback" precluding the loss of data and to collect "performance statistics." (See Sheard column 3, lines 9-12.)

Lacking any teaching or suggestion of deriving a micro-context of a query by examining a user's activities on the user's computer, the combination of Maynard, Driscoll, and Sheard cannot establish a *prima facie* case of obviousness under 35 U.S.C. §103(a). Reconsideration of claims 27, 28, 42-47, 49, 50, and 53 is, therefore, respectfully requested.

In the event that the examiner finds any remaining impediment to the prompt allowance of any of these claims, which could be clarified in a telephone conference, the examiner is respectfully urged to initiate the same with the undersigned.

DATED this 17th day of October, 2005.

Respectfully submitted,



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